



**Town of Tyngsborough
Board of Appeals**

Town Hall-25 Bryants Lane
Tyngsborough, Ma 01879-1003
(978) 649-2300, Ext. 112

Board of Appeals Minutes from January 12, 2006

Board of Appeals Members Present: Robb Kydd, Eileen Farrell, Cheryl Bradley, Chris Mechalides, and Claire Cloutier.

Atty. Lisa Mead was present representing the Board in discussions of Chapter 40 Hearings only.

6:00PM- Joe Peznola- Wynbrook-review of project.

General discussion of the final plan down to 80 units. The Board discussed that going from 92 units to 80 is an insubstantial change.

Motion to accept changes by Claire Cloutier. Seconded by Bradley. Vote 5-0
Approved.

6:15PM- Walter Ericksen- Maple Ridge Dev. Review of project.

General discussion of the modification of permit to allow the construction of exterior decks and optional 12'x 12' sunrooms on the age restricted homes.

Motion to accept 10'x10'decks, and un-heated sunrooms to be 12'x12' as insubstantial change to the plans by Chris Mechalides, seconded by Claire Cloutier. Vote 5-0.
Approved.

6:30 PM- Atty. Doug Deschene representing Merrimac Landing Realty Trust, 91 & 95 Middlesex Rd. Assessors Map 27, Parcel 2-1 & Map 27, parcel 2. Applicants request to amend original application on a Comprehensive permit previous granted, applicant wants to change the layout of rental units from garden style apartments to townhouse style rental units. All other terms of the Comprehensive Permit will remain the same and no additional waivers are needed. I-1Zone.

Continued Hearing from Oct. 13, 2005

Review of change of plan. Discussion of traffic study is okay, landscaping is okay-conditions to be added to the final plan, the snow removal plan is okay –conditions to be added in final plan, flood plain and drainage is okay.

Motion to close the public portion of the hearing by Chris Mechalides, seconded by Cloutier. Vote 5-0. Approved.

Motion to continue this hearing till Feb. 2, 2006 at 6:30 PM. by Chris Mechalides. Seconded by Cloutier. Vote 5-0, approved.

Regular Hearings: On or about 7PM

Donna Doulamis, 20 Magnolia, Map 32B Parcel 64, renew an expired variance to construct a single family dwelling on 10,000 sq. ft. and maintain an existing house on Lot B with only 18' of side yard. R-2 Zone, section 2.12.50.

Atty. James Hall representing Donna Doulamis.

Discussion of old expired variance and discussions of contiguous lots are now one lot.

Board received signed document from two abutters in favor of the application

Motion to close the public portion by Eileen Farrell. Seconded by Mechalides. Vote 5-0

Members discussed contiguous lots.

Motion to deny all three lots are now contiguous and are one lot by Eileen Farrell. Seconded by Cloutier. Vote 5-0- Application denied.

Michal & Aleta Thompson, 6 Turnbuckle Lane, Map 14, Parcel 40, requesting variance on the side yard lot line for addition. R-1 Zone, section 2.12.47, 2.12.50.

Application presented by Michael & Aleta Thompson.

Received building permit for addition and when the foundation went was placed; the side yard set back was short.

One abutter spoke for the applicant-Paul Randazzo-12 Turnbuckle Lane.

Motion to close the public portion by Mechalides. Seconded by Farrell. Vote 5-0.

Motion to approve the application as submitted is Mechalides. Seconded by Farrell. Vote 5-0. Approved.

Daniel Chasse, 122 Mascuppic Trail, Parcel 31A 28 0., requesting variance of 3.9' on the rear yard set back, and a special permit for the height for the re-construction of existing house. The existing house to be razed. R-2 Zone. 2.12.50, 2.15.22, 2.15.24.

Daniel Chasse, 124 Mascuppic Trail, Parcel 31A 28 0, requesting variance on the side yard set back of 7.9' and special permit for the height for the re-construction of new house. The existing house is to be razed. R-2 Zone. 2.12.50, 2.15.22, 2.15.24.

Application presented by Atty. Peter Nicosia.

Two abutters spoke for the application- 115 & 119 Mascuppic Trail.

One abutter had concerns of height of buildings, improvement to neighborhood however.

A lot of discussion of the lots, Dan Chasse said he went to Planning Board to make a lot line for a 4,000 + dividing the property of 122 & 124 Mascuppic. He did not have any Planning Board paperwork. Chasse said that even though that property is on multiple

5,000 square foot lot plan of land he went back before that plan and saw that this lot was 3,000 square feet and then asked the Planning Board to increase the size to 4,000 +.

Board decide that they would like to have Town Counsel- Zaroulis look this over before voting on it.

Atty. Nicosia stated that he would like to see the decision of Atty. Zaroulis prior to our next meeting and requested that be noted in the minutes.

Motion by Mechalides to close the public portion of the hearing. Seconded by Farrell. Vote 5-0

Motion to continue these two hearing to March 9, 2005 by Cloutier. Seconded by Bradley. Vote 5-0.

Other Business:

Approve minutes from Nov. 10, 2006- Motion to approve minutes from November 10, 2005 by Farrell. Seconded by Cloutier. Vote 5-0.

Minutes taken and provided by Cheryl Bradley and Members.

+

+